



ORIGINAL

DEPARTMENT OF THE ARMY  
UNITED STATES ARMY LEGAL SERVICES AGENCY  
901 NORTH STUART STREET  
ARLINGTON, VIRGINIA 22203-1837



0000119920

November 8, 2010

REPLY TO  
ATTENTION OF

Regulatory Law Office  
U 4201

DOCKET NO. T-01051B-10-0194  
T-02811B-10-0194  
T-04190A-10-0194  
T-20443A-10-0194  
T-03555A-10-0194  
T-03902A-10-0194

**VIA OVERNIGHT UPS**  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Subject: **Motion and Consent of Local Counsel for Pro Hac Vice Admission of  
Stephen S. Melnikoff**

In Re: **Docket No. 10-0194 et al.** – In the Matter of the Joint Application Of Qwest Corporation, Qwest Communications Company, LLC, Qwest LD Corp. dba Qwest Long Distance, Embarq Payphone Services, Inc. and CenturyTel Solutions, LLC for Approval of the Proposed Merger of their Parent Corporations Qwest Communications International Inc. and CenturyTel, Inc.


To The Honorable Commission:

Enclosed for filing in the above-captioned proceeding is the Motion and Consent of Local Counsel for *Pro Hac Vice* Admission of Stephen S. Melnikoff. A Certificate of Service is appended to this filing.

Copies of this document are being sent in accord with the Certificate of Service. Inquiries to this office regarding this proceeding should be directed to the undersigned at (703) 696-1643.

Thank you for your cooperation and assistance in this matter.

Sincerely,

  
Stephen S. Melnikoff  
General Attorney  
Regulatory Law Office (JALS-RL)  
U.S. Army Litigation Center  
901 N. Stuart Street, Suite 700  
Arlington, Virginia 22203-1837  
Telephone: (703) 696 - 1643  
[stephen.melnikoff@hqda.army.mil](mailto:stephen.melnikoff@hqda.army.mil)

Arizona Corporation Commission  
**DOCKETED**  
NOV 10 2010

DOCKETED BY 

Enclosure  
CF: See Certificate of Service

RECEIVED  
2010 NOV 10 A 11:39

**BEFORE THE ARIZONA CORPORATION COMMISSION**

**COMMISSIONERS**

KRISTIN K. MAYES - Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

IN THE MATTER OF THE JOINT  
APPLICATION OF QWEST  
CORPORATION, QWEST  
COMMUNICATIONS COMPANY, LLC,  
QWEST LD CORP. dba QWEST LONG  
DISTANCE, EMBARQ PAYPHONE  
SERVICES, INC. AND CENTURYTEL  
SOLUTIONS, LLC FOR APPROVAL OF  
THE PROPOSED MERGER OF THEIR  
PARENT CORPORATIONS QWEST  
COMMUNICATIONS INTERNATIONAL  
INC. AND CENTURYTEL, INC.

DOCKET NO. T-01051B-10-0194  
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T-03555A-10-0194  
T-03902A-10-0194

**MOTION AND CONSENT OF LOCAL  
COUNSEL FOR *PRO HAC VICE*  
ADMISSION OF STEPHEN S.  
MELNIKOFF**

Daniel D. Haws (Arizona State Bar No. 013019), pursuant to Rule 38(a), Ariz. R. Sup. Ct., moves the Arizona Corporation Commission to admit Stephen S. Melnikoff as counsel *pro hac vice* in this proceeding. In support of this motion and pursuant to Rule 38(a)(3)(C), the following original documents are attached:

1. Verified Application to Appear Pro Hac Vice;
2. Certificates of Good Standing; and
3. State Bar of Arizona Notice of Receipt of Complete Application.

The filing fee as required by Rule 33(d) has been submitted to the State Bar of Arizona. Daniel D. Haws hereby agrees to serve as designated local counsel of the above-captioned docket.

A proposed order granting this motion is attached for the Commission's convenience.

Respectfully submitted,



Daniel D. Haws  
OSJA  
ATTN: ATZS-JAD  
USA Intelligence Center & Fort Huachuca  
Fort Huachuca, Arizona 85613-6000

Dated: November 8, 2010

Original and thirteen (13)  
copies of the foregoing was caused to be sent by  
Overnight UPS this 9<sup>th</sup> day of November 2010 to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Copy of the foregoing was caused to be sent by  
pre-paid First Class Mail USPS  
this 9<sup>th</sup> day of November 2010 to:

Honorable Belinda Martin, Esq.  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

Honorable Belinda Martin, Esq.  
Administrative Law Judge  
Hearing Division  
Arizona Corporation Commission  
400 West Congress Street  
Tucson, Arizona 85701

Janice Alward, Chief Counsel  
Maureen A. Scott, Senior Staff Counsel  
Robin R. Mitchell, Staff Attorney  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Steven M. Olea, Director  
Utilities Division  
ARIZONA CORPORATION  
COMMISSION  
1200 West Washington Street  
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RESIDENTIAL UTILITY CONSUMER  
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One Arizona Center  
400 East Van Buren Street  
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QWEST CORPORATION  
20 East Thomas Road, 16<sup>th</sup> Floor  
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CENTURYLINK  
400 West 15<sup>th</sup> Street, Suite 315  
Austin, TX 78701

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420 Chinguapin Round Rd., Suite 2-1  
Annapolis, Maryland 21401

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Hiawatha, Iowa 52233

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Phoenix, AZ 85027

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& BENNETT, P.A.  
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Boulder, CO 80301

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1025 Eldorado Blvd.  
Broomfield, CO 80021

Katherine Mudge  
DIECA Communications, Inc  
7000 N. Mopac Expressway, 2nd Floor  
Austin, Texas 78731

Michel Singer-Nelson  
370 Interlocken Blvd. Ste. 600  
Broomfield, Colorado 80021

Rex Knowles  
XO Communications, Inc.  
7050 Union Park Ave., Suite 400  
Midvale, UT 84047

Penny Stanley  
370 Interlocken Blvd. Ste. 600  
Broomfield, Colorado 80021

Lyndall Nipps  
tw telecom  
9665 Granite Ridge Drive, Ste. 500  
San Diego, California 92123

John Ilgen, Vice President  
Sales and Marketing  
WESTEL, INC.  
9606 North Mopac Expressway, Ste. 700  
Austin, TX 78759

Armando Fimbres, Utilities Division  
Pamela Genung, Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Harry Gildea  
Snavey King Majoros & O'Connor, Inc.  
1111 14th St., N.W., Ste. 300  
Washington, D.C. 20005

By:



Daniel D. Haws

(11/04/2010)

BEFORE THE ARIZONA CORPORATION COMMISSION

**COMMISSIONERS**

KRISTIN K. MAYES - Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP

IN THE MATTER OF THE JOINT  
APPLICATION OF QWEST  
CORPORATION, QWEST  
COMMUNICATIONS COMPANY, LLC,  
QWEST LD CORP. dba QWEST LONG  
DISTANCE, EMBARQ PAYPHONE  
SERVICES, INC. AND CENTURYTEL  
SOLUTIONS, LLC FOR APPROVAL OF  
THE PROPOSED MERGER OF THEIR  
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T-20443A-10-0194  
T-03555A-10-0194  
T-03902A-10-0194

**PROCEDURAL ORDER**  
**GRANTING ADMISSION**  
**PRO HAC VICE**

**BY THE COMMISSION:**

Based upon the Motion for *Pro Hac Vice* Admission of Stephen S. Melnikoff and  
the consent to appear as local counsel by Daniel D. Haws,

IT IS THEREFORE ORDERED that Stephen S. Melnikoff be admitted *pro hac*  
*vice* as counsel for the U.S. Department of Defense and All Other Federal Executive  
Agencies in the above-captioned matter.

DATED the      day of November 2010.

---

Belinda A. Martin  
Administrative Law Judge

Copies of the foregoing mailed  
this            day of November 2010 to:

Janice Alward, Chief Counsel  
Maureen A. Scott, Senior Staff Counsel  
Robin R. Mitchell, Staff Attorney  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Steven M. Olea, Director  
Utilities Division  
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& BENNETT, P.A.  
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Vice President, Law and Policy  
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Golden Valley, MN 55416

Daniel D. Haws  
OSJA  
ATTN: ATZS-JAD  
Floor  
USA Intelligence Center & Fort Huachuca  
Fort Huachuca, Arizona 85613-6000

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Armando Fimbres, Utilities Division  
Pamela Genung, Utilities Division  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

By: \_\_\_\_\_





November 04, 2010

Daniel D Haws  
SJA ATTIN ATZS-JAD  
Fort Huachuca, AZ 85613-6000

**RE: Pro Hac Vice Applicant - Stephen Melnikoff P177016  
Pro Hac Application # 1005843**

Dear Mr Haws,

Enclosed is the State Bar of Arizona pro hac vice Notice, original verified application and original Certificate of Good Standing(s), pursuant to Ariz.R.S.Ct., 38(a) Admission Pro Hac Vice.

**Pursuant to Rule 38(a) C(3), a copy of each order granting or denying the motion as entered by the court, board or administrative agency shall be mailed by local counsel to the State Bar of Arizona attention Membership Records.**

If you have any questions or need further assistance, please contact the Resource Center at (602) 340-7239.

Sincerely,

A handwritten signature in black ink, appearing to read "Ayde Gutierrez", is written over a horizontal line.

Ayde Gutierrez  
Resource Center

Arizona Corporation Commission

In the Matter of Joint Application of Qwest  
et al ,  
Plaintiff

v.

Defendant.

CASE # T01051B100194

SBA App #1005843

**NOTICE OF RECEIPT OF COMPLETE  
APPLICATION**

NOTICE IS HEREBY given by THE STATE BAR OF ARIZONA that it has received the  
verified application and fee from Stephen Melnikoff.

In addition to this application, applicant has made the following applications to appear pro  
hac vice, pursuant to Rule38 (a), within the previous three (3) years:

Title of Matter

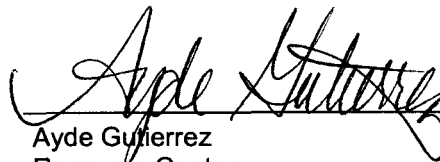
Court/Agency

Date

Granted?

Exhibit A, the original verified application and Exhibit B, the original Certificate(s) of Good  
Standing are attached hereto.

DATED this 4<sup>th</sup> day of November 2010



Ayde Gutierrez  
Resource Center  
State Bar of Arizona

Original Mailed on this 4<sup>th</sup> day of November 2010 to:

Daniel D Haws  
SJA ATTIN ATZS-JAD  
Fort Huachuca, AZ 85613-6000



For Official Use Only  
App# 1005843  
Bar Number# PT77016

Attn: Pro Hac Vice Dept  
PO Box 53099  
Phoenix, AZ 85072-3099  
Phone: 602-340-7239

### Application for Appearance Pro Hac Vice

#### PART I: Applicant Information

Name of Applicant: STEPHEN S. MELNIKOFF

Firm/Company Name: U.S. ARMY LEGAL SERVICES AGENCY (JALS-RL)

Office Address: 901 NORTH STUART STREET, SUITE 700, ARLINGTON, VA 22203-1837

Telephone: (703) 696-1643 Fax: (703) 696-2960 Email Address: stephen.melnikoff@hqda.army.mil

Residence Address: 4003 NORTH GLEBE ROAD, ARLINGTON, VA 22207

Title of cause or case where applicant seeks to appear: IN THE MATTER OF THE JOINT APPLICATION OF QWEST CORPORATION, QWEST COMMUNICATIONS COMPANY, LLC, QWEST LD CORP. dba QWEST LONG DISTANCE, EMBARQ PAYPHONE SERVICES, INC. AND CENTURYTEL SOLUTIONS, LLC FOR APPROVAL OF THE PROPOSED MERGER OF THEIR PARENT CORPORATIONS QWEST COMMUNICATIONS INTERNATIONAL INC. AND CENTURYTEL, INC.

Docket Numbers: T-01051B-10-0194; T-02811B-10-0194; T-04190A-10-0194; T-20443A-10-0194; T-03555A-10-0194; and T-03902A-10-0194 [THIS IS ONE CONSOLIDATED PROCEEDING]

Court, Board, or Administrative Agency: ARIZONA CORPORATION COMMISSION

Party on whose behalf applicant seeks to appear: THE U.S. DEPARTMENT OF DEFENSE AND ALL OTHER FEDERAL EXECUTIVE AGENCIES

**Pursuant to Arizona Supreme Court Rule 38(i)(3), the applicant shall complete the information below:**

Courts to Which Applicant Has Been Admitted:

*(Attach additional pages if needed)*

COURT OF APPEALS OF MARYLAND (INACTIVE)

DISTRICT OF COLUMBIA COURT OF APPEALS

Date of Admission:

DECEMBER 13, 1973

OCTOBER 7, 1975

Bar Number:

NOT APPLICABLE

219204

☒ Applicant is not currently disbarred or suspended in any court.

Applicant ☐ is / ☒ is not (select one) currently subject to any pending disciplinary proceeding or investigation by any court, agency or organization authorized to discipline attorneys at law.

In the preceding three (3) years, applicant has filed applications to appear as counsel under AZ ST S.Ct., Rule 38(a) in the following:

Title of Matter: Docket #: Court or Agency: App Granted? (Y/N)

NONE

This case or cause ☐ is / ☐ is not (select one) a related or consolidated matter for which applicant has previously applied to appear pro hac vice in Arizona. If this matter is a related or consolidated with any previous application, Applicant certifies that he/she will review and comply with appropriate rules of procedure as required in the underlying cause.

If applicable, please provide related or consolidated matter application or docket# \_\_\_\_\_

Revised 01/15/09

**PART II: Local Counsel Information**

Name of Arizona Local Counsel: Daniel D. Haws\_\_\_\_\_

State Bar of Arizona Number: 013019\_\_\_\_\_

Address: OSJA

Attn: ATZS-JAD

USA Intelligence Center & Fort Huachuca

Fort Huachuca, AZ 85613-6000

Telephone: (520) 533-0623\_\_\_\_\_ Fax: (520) 533-1113\_\_\_\_\_ Email Address: daniel.haws@us.army.mil\_

☒ Local Counsel is a member in good standing.

☒ Local Counsel associating with a nonresident attorney in a particular cause shall accept joint responsibility with the nonresident attorney to the client, to opposing parties and counsel, and to court, board, or administrative agency in that particular cause.

**PART III: Parties and Certification**

Name(s) of each party in this cause and name and address of all counsel of record:

Party:

Counsel of Record:

Address:

SEE ATTACHED SERVICE LIST

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☒ Applicant is including with this application a nonrefundable application fee, payable to the State Bar of Arizona, in the amount of \$460.00. Fifteen percent of the non-refundable application fee paid pursuant to this section shall be deposited into a civil legal services fund to be distributed by the Arizona Foundation for Legal Services and Education entirely to approved legal services organizations, as that term is defined in subparagraph (f) of this rule.

☒ Applicant is furnishing a certificate from the state bar or from the clerk of the highest admitting court of each state, territory, or insular possession of the United States in which the nonresident attorney has been admitted to practice law certifying the nonresident attorney's date of admission to such jurisdiction and the current status of the nonresident attorney's membership or eligibility to practice therein. The certificate furnished shall be no more than forty-five (45) days old.

Applicant certifies the following:

1. Applicant shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the law of this state governing the conduct of attorneys to the same extent as an active member of the State Bar of Arizona, as provided in Rule 46(b) Rules of the Supreme Court.
2. Applicant will review and comply with appropriate rules of procedure as required in the underlying cause.

3. Applicant understands and shall comply with the standards of conduct required of members of the State Bar of Arizona.

### Verification

STATE OF VIRGINIA \_\_\_\_\_ )  
County of ARLINGTON \_\_\_\_\_ ) ss.

I, STEPHEN S. MELNIKOFF \_\_\_\_\_, swear that all statements in the application are true, correct and complete to the best of my knowledge and belief.

Dated: November 2, 2010

Applicant's Signature: \_\_\_\_\_

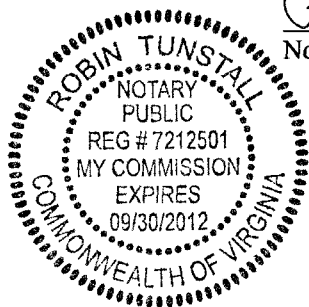
SUBSCRIBED AND SWORN TO before me this 2<sup>nd</sup> day of November, 20 10, by

STEPHEN S. MELNIKOFF

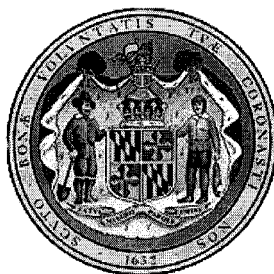
Name of Applicant

Robin Tunstall

Notary Public



**Court of Appeals  
of Maryland**  
Annapolis, MD



***CERTIFICATE OF GOOD STANDING***

STATE OF MARYLAND, ss:

*I, Bessie M. Decker, Clerk of the Court of Appeals of Maryland,  
do hereby certify that on the thirteenth day of December, 1973,*

**Stephen Sidney Melnikoff**

*having first taken and subscribed the oath prescribed by the Constitution and  
Laws of this State, was admitted as an attorney of said Court, is now in good  
standing, and as such is entitled to practice law in any of the Courts of said  
State, subject to the Rules of Court.*

**In Testimony Whereof,** *I have hereunto  
set my hand as Clerk, and affixed the Seal  
of the Court of Appeals of Maryland, this  
third day of November, 2010.*

*Bessie M. Decker*

*Clerk of the Court of Appeals of Maryland*



District of Columbia Court of Appeals

Committee on Admissions

430 F Street, N.W. — Room 123

Washington, D. C. 20001

202/879-2710

I, JULIO A. CASTILLO, Clerk of the District of Columbia Court of Appeals, do hereby certify that

STEPHEN S. MELNIKOFF

was on the 9<sup>TH</sup> day of OCTOBER, 1975,  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on  
November 3, 2010.

JULIO A. CASTILLO  
Clerk of the Court

By: P. Fagan  
Deputy Clerk

## LIST OF COUNSEL OF RECORD

Norman Curtright  
Qwest Corporation  
20 East Thomas Road, 16<sup>th</sup> Floor  
Phoenix, Arizona 85012  
Attorney For Qwest Corporation

Jeffrey W. Crockett  
Bradley Carroll  
Snell & Wilmer  
One Arizona Center  
400 E. Van Buren  
Phoenix, Arizona 85004  
Attorney for CenturyLink

Kevin K. Zarling, Esq.  
Senior Counsel  
CenturyLink  
400 West 15<sup>th</sup> Street, Suite 315  
Austin, Texas 78701  
Attorney for CenturyLink

Michael W. Patten, Esq.  
Timothy J. Sabo  
Roshka DeWulf & Patten, PLC  
400 East Van Buren Street  
Phoenix, Arizona 85004  
Attorneys for Cox Arizona Telecom, Level 3  
Communications, PAETEC and Integra  
Telecom

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Residential Utility Consumer Office  
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Phoenix, Arizona 85007  
Attorney for Residential Utility Consumer  
Office

Joan S. Burke  
Law Office of Joan S. Burke  
1650 North First Avenue  
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Attorney for tw telecom, llc and Pac-West  
Telecomm

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American and AFL-CIO, CLC

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Bloomsburg, Pennsylvania 17815

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Level 3 Communications, LLC  
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Broomfield, CO 80021

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Attorney for Level 3 Communications, LLC

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Minneapolis, Minnesota 55402  
Attorney for Integra Telecom

Stephen S. Melnikoff, Esq  
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U. S. Army Litigation Center  
901 North Stuart Street, Suite 700  
Arlington, Virginia 22203  
Attorney for DOD



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Penny Stanley  
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Broomfield, Colorado 80021



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY LEGAL SERVICES AGENCY  
901 NORTH STUART STREET  
ARLINGTON VA 22203-1837

REPLY TO  
ATTENTION OF  
Regulatory Law Office  
U 4201

November 2, 2010

**UPS OVERNIGHT MAIL**

State Bar of Arizona  
Pro Hac Vice  
4201 N. 24<sup>th</sup> Street, Suite 200  
Phoenix, AZ 85016-6288

Sir/Madam:

Enclosed for your consideration are the original and one copy of my verified signed Application for Appearance Pro Hac Vice on behalf of the U.S. Department of Defense and All Other Federal Executive Agencies IN THE MATTER OF THE JOINT APPLICATION OF QWEST CORPORATION, QWEST COMMUNICATIONS COMPANY, LLC, QWEST LD CORP. dba QWEST LONG DISTANCE, EMBARQ PAYPHONE SERVICES, INC. AND CENTURYTEL SOLUTIONS, LLC FOR APPROVAL OF THE PROPOSED MERGER OF THEIR PARENT CORPORATIONS QWEST COMMUNICATIONS INTERNATIONAL INC. AND CENTURYTEL, INC., Arizona Corporation Commission, Docket Nos. T-01051B-10-0194; T-02811B-10-0194; T-04190A-10-0194; T-20443A-10-0194; T-03555A-10-0194; and T-03902A-10-0194. This is one consolidated proceeding. Also enclosed are the original and one copy of certificates of good standing as well as a check for the required \$460.00 fee.

Should you have any questions please contact me at my mobile phone number (703-864-6804).

I would appreciate expedited handling of the processing of this application to the extent possible. I will be in telephonic contact in the next day or two in order to explore the possibility of securing overnight delivery of the Notice of Receipt of Complete Application to my designated local counsel.

Thank you.

Sincerely,

Stephen S. Melnikoff  
General Attorney  
Regulatory Law Office (JALS-RL)  
U.S. Army Litigation Center  
901 North Stuart Street, Suite 700  
Arlington, Virginia 22203-1837  
Office: (703) 696-1643  
Mobile: (703) 864-6804  
stephen.melnikoff@hqda.army.mil

Enclosures

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DEPARTMENT OF THE ARMY  
UNITED STATES ARMY LEGAL SERVICES AGENCY  
901 NORTH STUART STREET  
ARLINGTON VA 22203-1837

REPLY TO  
ATTENTION OF  
Regulatory Law Office  
U 4201

November 2, 2010

**UPS OVERNIGHT MAIL**

State Bar of Arizona  
Pro Hac Vice  
4201 N. 24<sup>th</sup> Street, Suite 200  
Phoenix, AZ 85016-6288  
Attn: Ayde Gutierrez

Ayde--

Per our discussion, I have enclosed an original and one copy of each of the two current Certificates of Good Standing. Also enclosed is a pre-addressed and pre-paid UPS OVERNIGHT Mail envelop to send the Notice of Receipt of Complete Application to my designated local counsel. This will hopefully speed up my ultimate admission pro hac vice before the Arizona Corporation Commission.

Should you have any questions please contact me at my mobile phone number (703-864-6804).

Thank you for all your work getting this in and out the door.

Sincerely

Stephen S. Melnikoff  
General Attorney  
Regulatory Law Office (JALS-RL)  
U.S. Army Litigation Center  
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Enclosures